

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHAMAN EL-BEY,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	2:09-cv-3189
	:	
HONORABLE GARY DEVITO,	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 17th day of March, 2010, upon consideration of Defendant, Judge Di Vito's¹, Motion to Dismiss (doc. no. 3), Plaintiff's lack of response thereto, and for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** that Defendant's Motion is **GRANTED** and Plaintiff's Complaint is **DISMISSED**. The Clerk of Court is directed to market the above-captioned case **CLOSED**.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

Mitchell S. Goldberg, J.

¹ The Complaint refers to Judge Devito; however, the correct spelling is Judge Di Vito, which will be used for this Order. (Def.'s Motion; p. 1, n. 2.)